



RESOLUTION

RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION'S NOTIFICATION REGARDING THE ACQUISITION BY EMINENT DOMAIN OF INTERESTS IN REAL PROPERTY IDENTIFIED AS TAX MAP KEY 1-5-008: 020 (PORTION).

WHEREAS, Sections 17-101 and 17-103.1 of the Revised Charter of the City and County of Honolulu 1973 (2017 Edition) ("Charter"), establish the Honolulu Authority for Rapid Transportation ("HART"), which has the authority to develop the City's fixed guideway system; and

WHEREAS, Charter Section 17-103.2(b) provides that HART is empowered to acquire by eminent domain, in the name of the City, all real property or any interest therein necessary for the development of the fixed guideway system; provided that prior to commencing such action, HART must submit to the Council, in writing, a list of the parcels and areas to be acquired; and

WHEREAS, Charter Section 17-103.2(b) further provides that HART may proceed with such condemnation action if the Council: (1) fails to adopt a resolution objecting to the condemnation within 45 days of receipt of notification; or (2) affirmatively approves of the acquisition by resolution; and

WHEREAS, by Departmental Communication 847 (2017) ("D-847 (2017)"), which was officially received by the Council on December 20, 2017, HART notified the Council of its intention to acquire a number of properties by eminent domain; and

WHEREAS, among the property interests described in D-847 (2017) for condemnation are a fee simple interest and temporary construction easement over, on, and across the real property identified as Tax Map Key 1-5-008: 020 (portion), as more particularly identified in the legal description found in HART's Resolution No. 2017-16 attached to D-847 (2017); and

WHEREAS, the abovementioned property is situated at 230 N. Nimitz Highway, Honolulu, Hawaii 96817; Iwilei, Honolulu, Oahu, Hawaii; and is owned by Jiroichi Otani Family Limited Partnership; and

WHEREAS, the 45th day following receipt of notification is February 3, 2018; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it approves of the Honolulu Authority for Rapid Transportation's acquisition, in the name of



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 18-10

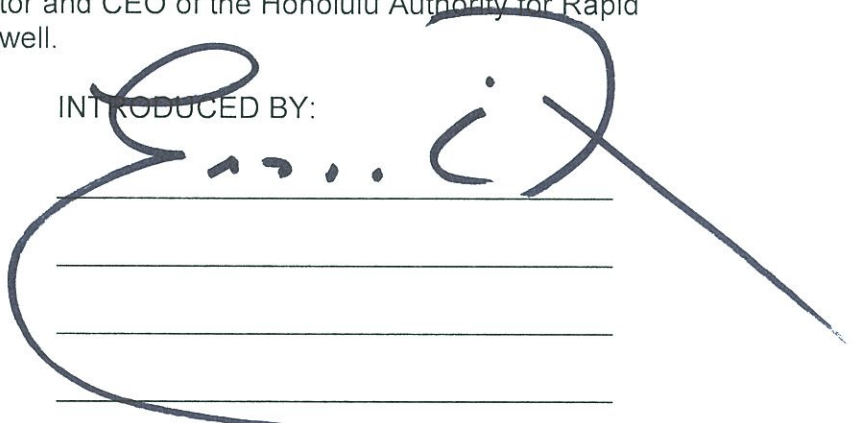
RESOLUTION

the City, by eminent domain, of a fee simple interest and temporary construction easement over, on, and across the real property identified as Tax Map Key 1-5-008: 020 (portion) situated at 230 N. Nimitz Highway, Honolulu, Hawaii 96817, as more particularly identified in the Honolulu Authority for Rapid Transportation's Resolution No. 2017-16 attached to D-847 (2017); and

BE IT FURTHER RESOLVED that pursuant to Charter Section 17-103.2(b), the Honolulu Authority for Rapid Transportation may proceed with condemnation of such property interests; and

BE IT FINALLY RESOLVED that copies of this resolution be transmitted to Damien T.K. Kim, Chair of the Board of the Honolulu Authority for Rapid Transportation; Andrew S. Robbins, Executive Director and CEO of the Honolulu Authority for Rapid Transportation; and Mayor Kirk Caldwell.

INTRODUCED BY:



DATE OF INTRODUCTION:

JAN 11 2018

Honolulu, Hawaii

Councilmembers

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

RESOLUTION 18-10

Introduced: 01/11/18 By: ERNEST MARTIN

Committee: EXECUTIVE MATTERS
AND LEGAL AFFAIRS


Title: RESOLUTION RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION'S NOTIFICATION REGARDING THE ACQUISITION BY EMINENT DOMAIN OF INTEREST IN REAL PROPERTY IDENTIFIED AS TAX MAP KEY 1-5-008: 020 (PORTION).

Voting Legend: * = Aye w/Reservations

01/23/18	EXECUTIVE MATTERS AND LEGAL AFFAIRS	CR-19 – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION.
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01/31/18	COUNCIL	CR-19 AND RESOLUTION 18-10 WERE ADOPTED. 6 AYES: ANDERSON, ELEFANTE, MANAHAN, MENOR, OZAWA, PINE. 3 NOES: FUKUNAGA, KOBAYASHI, MARTIN.
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I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.



GLEN K. TAKAHASHI, CITY CLERK



RON MENOR, CHAIR AND PRESIDING OFFICER